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176126... 367

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
230 SOUTH DEARBORN ST.
CHICAGO, ILLINOIS 60604**

REPLY TO ATTENTION OF:
5HS-11

JUL 24 1991
CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert C. Davis
Butzel Long
Suite 900
150 W. Jefferson
Detroit, Michigan 48226-4430

Re: Hi-Mill Manufacturing
Vertical Sampling
Dispute Resolution

Dear Mr. Davis:

Pursuant to Paragraph XIX.C. of the Administrative Consent Order regarding the Remedial Investigation and Feasibility Study at the Hi-Mill Manufacturing Company Site, U.S. EPA Docket Number: V-W-88-C127, the United States Environmental Protection Agency (U.S. EPA) hereby notifies you of its resolution of the dispute raised by your correspondence dated May 6, 1991. Your correspondence disputed U.S. EPA's request for vertical sampling in the Phase II Hydrogeologic Investigation Work Plan and attacked several rationales provided for this request. Pursuant to paragraph XIX.B. of the Order, U.S. EPA provided a written response setting forth its position and the basis therefor on May 17, 1991, and a telephone conference was held between the parties on May 23, 1991 to negotiate a resolution of their differences.

I have reviewed the administrative record for this dispute, an index of which is attached to this letter, and resolve the vertical sampling dispute as follows:

- Respondent must vertically sample and place a well in the intermediate aquifer in the area between SW-8 and SW-10. The well screen should be placed in the zone of highest contamination. If no contamination is found, as a result of the field screening procedures, no well is necessary in this location.

Rationale: There is the possibility of contamination migrating vertically from Target Pond into the intermediate aquifer. Initially, the U.S. EPA required vertical sampling in an area east of Target Pond. The Respondent stated, in the May 6, 1991, dispute correspondence that if breakthrough of Target Pond did occur, the location would be upgradient of the intermediate wells installed directly east of the facility. Vertically sampling and placing a well in the area between SW-8 and SW-10 is necessary in order to intercept any contaminant plume that may migrate westwardly from the Target Pond area toward the facility.

- Respondent must vertically sample and place a well in the intermediate aquifer in the vicinity and downgradient of each of the two former solvent storage tanks. The well screens should be placed in the zone of highest contamination. If no contamination is found, as a result of the field screening procedures, no well is necessary in that location. Since the location of IW-6 is near one of the former solvent storage tanks, it may be eliminated from the workplan unless investigation of the sand seam in that area is desired. If IW-6 is installed, no vertical sampling will be required in that location.

Rationale: Vertically sampling and placing wells in these locations is necessary in order to characterize the extent of contamination in the intermediate aquifer, in the area near the facility. Volatile organic compounds were discovered in two former production wells, near the tanks, that were screened in the intermediate aquifer indicating that there may be contamination in that aquifer.

- Respondent must place a well next to IW-1 in the intermediate aquifer. The bottom of the well screen should be at a depth equal to two-thirds of the thickness of the aquifer. No vertical sampling will be required in this location.

Rationale: Placing a well in this location is necessary in order to investigate the elevated chromium concentration and elevated conductivity level found in IW-1 during the Phase I investigation. Due to the nature of the contamination at the site, sampling IW-1 at the present location will not allow full

characterization of the intermediate aquifer in that area.

- Respondent may drill IW-7 as originally proposed in the workplan. No vertical sampling will be required in this location.

In the U.S. EPA's written response, dated May 17, 1991, to the Respondent's dispute a requirement of vertical sampling in five locations was set forth. The U.S. EPA has since reevaluated it's decision and has reduced the requirement to three locations. If no contamination is found after the Phase II activities are complete and the results analyzed, it is anticipated that no additional well installation or vertical sampling activities will be required. The results from the Phase I and Phase II activities will be deemed sufficient enough to complete the remedial investigation report and the Respondent can proceed with the feasibility study activities.

If you have any questions or comments please contact Maria Gonzalez, Assistant Regional Counsel, at (312) 886-6630. Technical questions can be directed by your client to Karla Johnson, Remedial Project Manager, at (312)886-5993.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Jo Lynn Traub", with a stylized flourish at the end.

Jo Lynn Traub
Acting Associate Division Director
Office of Superfund

Enclosure

cc: Hi-Mill Manufacturing Co.
James Harless
Kevin K. Wolka, P.E., Ph.D.
Debbie Larsen
Murat Akyurek

HI-MILL MANUFACTURING COMPANY
VERTICAL PROFILING DISPUTE RESOLUTION
INDEX TO ADMINISTRATIVE RECORD

Document Number	Date	Description/ Title	Author
1	10/05/88	Consent Order and SOW	
2	10/26/89	Work Plan	Techna Corp.
3	06/21/90	RI Report	Techna Corp.
4	01/91	Technical Memorandum	Geraghty & Miller
5	01/30/90	Draft Phase II Hydrogeologic Investigation Work Plan	Geraghty & Miller
6	03/07/91	Comments on 01/30/91 Draft Hydrogeologic Investigation Work Plan	K. Johnson
7	03/22/91	Draft Phase II Hydrogeologic Investigation Work Plan	Geraghty & Miller
8	04/15/91	Comments on 03/22/91 Draft Hydrogeologic Investigation Work Plan	K. Johnson
9	05/06/91	Hi-Mill Dispute	R. Davis
10	05/15/91	Draft Phase II Hydrogeologic Investigation Work Plan	Geraghty & Miller
11	05/17/91	U.S. EPA Response to Dispute	M. Gonzalez
12	06/03/91	Hi-Mill Manufacturing Co. Response to Good Faith Negotiations	R. Davis

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KARLA L. JOHNSON SMS-11

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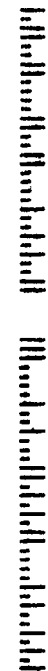
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KARLA L. JOHNSON SHS-11



Karla L. Johnson
U.S. Environmental Protection Agency
230 South Dearborn SHS-11
Chicago, Illinois 60604

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